

## Maine Revised Statutes

### Title 12: CONSERVATION

#### Chapter 939: ATVs HEADING: PL 2003, c. 414, Pt. A, §2 (new); Pt. D, §7 (aff); c. 614, §9 (aff)

#### §13154-A. AGE RESTRICTIONS

**1. Minimum age.** Except as provided in subsection 5, a person under 10 years of age may not operate an ATV.

A. A person who violates this subsection commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged. [2003, c. 655, Pt. B, §404 (NEW); 2003, c. 655, Pt. B, §422 (AFF); 2003, c. 695, Pt. B, §12 (NEW); 2003, c. 695, Pt. C, §1 (AFF).]

B. A person who violates this subsection after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime. [2003, c. 655, Pt. B, §404 (NEW); 2003, c. 655, Pt. B, §422 (AFF); 2003, c. 695, Pt. B, §12 (NEW); 2003, c. 695, Pt. C, §1 (AFF).]

[2003, c. 655, Pt. B, §404 (NEW); 2003, c. 655, Pt. B, §422 (AFF); 2003, c. 695, Pt. B, §12 (NEW); 2003, c. 695, Pt. C, §1 (AFF).]

**2. Permitting child under 10 years to operate ATV.** Except as provided in subsection 6, a person may not permit a child under 10 years of age to operate an ATV.

A. A person who violates this subsection commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged. [2003, c. 655, Pt. B, §404 (NEW); 2003, c. 655, Pt. B, §422 (AFF); 2003, c. 695, Pt. B, §12 (NEW); 2003, c. 695, Pt. C, §1 (AFF).]

B. A person who violates this subsection after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime. [2003, c. 655, Pt. B, §404 (NEW); 2003, c. 655, Pt. B, §422 (AFF); 2003, c. 695, Pt. B, §12 (NEW); 2003, c. 695, Pt. C, §1 (AFF).]

[2003, c. 655, Pt. B, §404 (NEW); 2003, c. 655, Pt. B, §422 (AFF); 2003, c. 695, Pt. B, §12 (NEW); 2003, c. 695, Pt. C, §1 (AFF).]

**3. Unlawfully operating ATV by person 10 to under 16 years of age.** Except as provided in subsection 6, a person 10 years of age or older but under 16 years of age may not operate an ATV unless that person has successfully completed a training course approved by the department pursuant to section 13152 and is accompanied by an adult. Proof of having completed a training course must be presented for inspection upon request of a law enforcement officer.

A. A person who violates this subsection commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged. [2003, c. 655, Pt. B, §404 (NEW); 2003, c. 655, Pt. B, §422 (AFF); 2003, c. 695, Pt. B, §12 (NEW); 2003, c. 695, Pt. C, §1 (AFF).]

B. A person who violates this subsection after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime. [2003, c. 655, Pt. B, §404 (NEW); 2003, c. 655, Pt. B, §422 (AFF); 2003, c. 695, Pt. B, §12 (NEW); 2003, c. 695, Pt. C, §1 (AFF).]

[2011, c. 253, §36 (AMD) .]

**4. Person under 16 years of age crossing public way.** A person under 16 years of age may not cross a public way maintained for travel unless the crossing is in accordance with section 13157-A, subsection 6, paragraph A and the person satisfies the requirements of subsection 3.

A. A person who violates this subsection commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged. [2003, c. 655, Pt. B, §404 (NEW); 2003, c. 655, Pt. B, §422 (AFF); 2003, c. 695, Pt. B, §12 (NEW); 2003, c. 695, Pt. C, §1 (AFF).]

B. A person who violates this subsection after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime. [2003, c. 655, Pt. B, §404 (NEW); 2003, c. 655, Pt. B, §422 (AFF); 2003, c. 695, Pt. B, §12 (NEW); 2003, c. 695, Pt. C, §1 (AFF).]

[2003, c. 655, Pt. B, §404 (NEW); 2003, c. 655, Pt. B, §422 (AFF); 2003, c. 695, Pt. B, §12 (NEW); 2003, c. 695, Pt. C, §1 (AFF) .]

**5. Permitting an unaccompanied person under 16 years of age to operate an ATV.** Except as provided in subsection 6, a person may not permit an unaccompanied person 10 years of age or older but under 16 years of age to operate an ATV.

A. A person who violates this subsection commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged. [2003, c. 655, Pt. B, §404 (NEW); 2003, c. 655, Pt. B, §422 (AFF); 2003, c. 695, Pt. B, §12 (NEW); 2003, c. 695, Pt. C, §1 (AFF).]

B. A person who violates this subsection after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime. [2003, c. 655, Pt. B, §404 (NEW); 2003, c. 655, Pt. B, §422 (AFF); 2003, c. 695, Pt. B, §12 (NEW); 2003, c. 695, Pt. C, §1 (AFF).]

[2003, c. 655, Pt. B, §404 (NEW); 2003, c. 655, Pt. B, §422 (AFF); 2003, c. 695, Pt. B, §12 (NEW); 2003, c. 695, Pt. C, §1 (AFF) .]

**6. Exceptions for certain property.** This section does not apply to the operation of an ATV on:

A. The land on which the operator is domiciled; [2003, c. 655, Pt. B, §404 (NEW); 2003, c. 655, Pt. B, §422 (AFF); 2003, c. 695, Pt. B, §12 (NEW); 2003, c. 695, Pt. C, §1 (AFF).]

B. Land owned or leased by the operator's parent or guardian; or [2003, c. 655, Pt. B, §404 (NEW); 2003, c. 655, Pt. B, §422 (AFF); 2003, c. 695, Pt. B, §12 (NEW); 2003, c. 695, Pt. C, §1 (AFF).]

C. A safety training site approved by the department. [2005, c. 397, Pt. E, §18 (RPR).]

[2005, c. 397, Pt. E, §18 (AMD) .]

#### SECTION HISTORY

2003, c. 655, §B404 (NEW). 2003, c. 655, §B422 (AFF). 2003, c. 695, §B12 (NEW). 2003, c. 695, §C1 (AFF). 2005, c. 397, §E18 (AMD). 2011, c. 253, §36 (AMD).

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